

10/15/98 E.S

VARNUM, RIDDERING, SCHMIDT & HOWLETT^{LLP}
ATTORNEYS AT LAW

BRIDGEWATER PLACE
POST OFFICE BOX 352 • GRAND RAPIDS, MICHIGAN 49501-0352
TELEPHONE 616 / 336-6000 • FAX 616 / 336-7000

CHARLES M. DENTON
ADMITTED IN MICHIGAN AND INDIANA

DIRECT DIAL 616 / 336-6538
E-MAIL cmdenton@vrsh.com

October 15, 1998



Hon. Joseph G. Scoville
United States District Court
Western District of Michigan
666 Federal Building
Grand Rapids, MI 49503

Re: United States of America v. City of Albion, Michigan v. Cooper Industries, et al., Case No. 1:97-CV-1037 (W.D. Mich.);
Sheridan Township Landfill, Calhoun County, Michigan

Dear Judge Scoville:

Enclosed is a proposed discovery Stipulation between Plaintiff United States and Defendant City of Albion regarding certain outstanding Requests for Admissions. Because of the potential that such could be deemed admitted if not timely answered or objected to, we are proposing this Stipulation while Consent Decree negotiations proceed. We do not, however, intend to in any way interfere with your proposed modification of the Pretrial Scheduling Order as discussed at the end of our September 15 Settlement Conference.

If you have any questions with regard to this Stipulation, or if you would like us to prepare a proposed Order, please let me know.

Very truly yours,

VARNUM, RIDDERING, SCHMIDT & HOWLETT^{LLP}


Charles M. Denton

/ss

Enc.

cc: Clerk of the Court
Counsel of Record
Mr. Kim A. Cox
Mr. Charles A. Robison

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA,
Plaintiff,

CIVIL ACTION NO. 1:97-CV-1037

v.

CITY OF ALBION, MICHIGAN,
Defendant/Third-Party
Plaintiff/Counter-Defendant,

Hon. David W. McKeague

v.

**STIPULATION TO EXTEND
REQUESTS FOR ADMISSIONS**

COOPER INDUSTRIES, INC.,
and CORNING INCORPORATED,
Third-Party Defendants/Counter-
Plaintiff/Third-Party Plaintiffs,

v.

DECKER MANUFACTURING CORPORATION,
Third-Party Defendant.

Francis J. Biros
Trial Attorney
Attorney for Plaintiff
Environmental Enforcement Section
Environment and Natural Resources Division
UNITED STATES DEPARTMENT
OF JUSTICE
P.O. Box 7611, Ben Franklin Station
Washington, D.C. 20044-7611
(202) 616-6552

Eugene E. Smary (P 26811)
Melvin G. Moseley, Jr. (P 44297)
Daniel K. DeWitt (P 51756)
WARNER NORCROSS & JUDD
Attorneys for Third-Party Defendants/Counter-
Plaintiff/Third-Party Plaintiffs, Cooper
Industries, Inc. and Corning Incorporated
900 Old Kent Building
Grand Rapids, Michigan 49503
(616) 752-2000

Charles M. Denton (P 33269)
Mark M. Davis (P 43529)
VARNUM, RIDDERING, SCHMIDT
& HOWLETT LLP
Attorneys for Defendant/Third-Party
Plaintiff/Counter-Defendant City of Albion
Bridgewater Place, P.O. Box 352
Grand Rapids, Michigan 49501-0352
(616) 336-6000

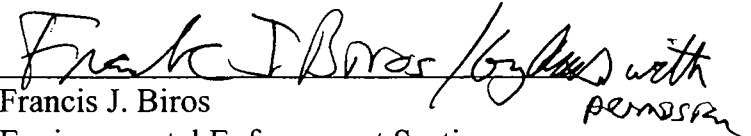
Alan D. Wasserman (P 39509)
Michael L. Caldwell (P 40554)
FINK ZAUSMER, P.C.
Attorneys for Third-Party Defendant
Decker Manufacturing Corporation
31700 Middlebelt Road, Suite 150
Farmington Hills, Michigan 48334
(248) 81-4111

Philip M. Moilanen (P 17874)
BULLEN, MOILANEN, KLAASEN & SWAN, P.C.
Attorney for Third-Party Defendant
Decker Manufacturing Corporation
402 S. Brown Street
Jackson, Michigan 49203-1426

NOW COME Plaintiff and Defendant, by and through their respective counsel of record, and hereby stipulate and agree as follows:


The time for Defendant to answer, respond or object to Plaintiff's First Set of Requests for Admissions, dated August 31, 1998, is hereby extended to November 30, 1998.

Dated: October 15, 1998


Francis J. Biros
Environmental Enforcement Section
Environmental and Natural Resources Division
United States Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044
phone: 202/616-6552

VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP
Attorneys for Defendant/Third-Party Plaintiff/
Counter-Defendant/Counter-Claimant City of Albion

Dated: October 15, 1998

By: 
Charles M. Denton (P 33269)
Mark M. Davis (P 43529)
Business Address and Telephone:
Bridgewater Place, P.O. Box 352
Grand Rapids, Michigan 49501-0352
(616) 336-6000